2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Preparations for the conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction*

Report by the facilitator

Appointment of the facilitator

1. In 1995, the Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) adopted a Resolution on the Middle East calling for, inter alia, the establishment of an effectively verifiable Middle East zone free of weapons of mass destruction, nuclear, chemical and biological, and their delivery systems. Subsequently, the 2010 NPT Review Conference emphasized the importance of a process leading to full implementation of the 1995 Resolution.

2. According to the Final Document of the 2010 NPT Review Conference, the Secretary-General of the United Nations and the co-sponsors of the 1995 Resolution, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America (henceforth *the conveners*), "in consultation with the States of the region, will convene a conference in 2012, to be attended by all States of the Middle East, on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, on the basis of arrangements freely arrived at by the States of the region, and with full support and engagement of the nuclear-weapon States". The 2010 NPT Review Conference also agreed that "the 2012 Conference shall take as its terms of reference the 1995 Resolution".

3. In accordance with the practical step endorsed by the 2010 Review Conference, on 14 October 2011, the conveners in consultation with the States of the region, appointed Under-Secretary of State Jaakko Laajava of the Ministry for Foreign Affairs of Finland as facilitator and designated Finland as the host Government for the 2012 Conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction.

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4. Following the appointment of the facilitator and designation of the host Government, an office was established within the Ministry for Foreign Affairs of Finland in order to support the facilitator and assist in the preparations for the Conference.

The facilitator's mandate

5. The facilitator's mandate is to support implementation of the 1995 Resolution by conducting consultations with the States of the region in that regard and undertaking preparations for the convening of the 2012 Conference. The facilitator's mandate is also to assist implementation of follow-up steps agreed by the participating regional States at the 2012 Conference. The facilitator will report to the 2015 Review Conference and its Preparatory Committee meetings.

6. Accordingly, the facilitator has presented his reports to the three sessions of the Preparatory Committee (documents NPT/CONF.2015/PC.I/11, NPT/CONF.2015/PC.II/10 and NPT/CONF.2015/PC.III/18).

Consultations by the facilitator

7. In supporting the implementation of the 1995 Resolution and undertaking preparations for the convening the of the 2012 Conference, the facilitator begun immediately in October 2011 fulfilling his mandate by gathering ideas, views and expectations of the regional States on the establishment of the zone and on the Conference in order to ensure their primary input into the process and to gain a full understanding of the various points of departure.

8. The facilitator adopted an inclusive approach in order to ensure that the views of all regional States were taken into account in the consultative process. In determining the list of regional parties to be consulted, the conveners and the facilitator have referred to the international Atomic Energy Agency document GC(XXXIII)/887, 29 August 1989, para 3 (Technical Study on Different Modalities of the Application of Safeguards in the Middle East). He has encouraged all States of the Middle East to adopt an open and forward-looking approach and to engage with each other in constructive dialogue and cooperation. The facilitator has throughout his tenure emphasized that while the international community, the conveners and the facilitator can provide important support, the ownership and the ultimate responsibility for a successful Conference and the establishment of the zone lies with the States of the region.

9. The facilitator and the staff of his office have carried out close to six hundred consultations and meetings in regional capitals and outside the region with all stakeholders, in particular the States of the region, the conveners of the Conference, the nuclear-weapon States, relevant international organizations, civil society and other interested parties. The focus of the consultations, bilateral or multilateral, has been with the States of the region.

10. Between October 2013 and June 2014 the facilitator together with the conveners of the Conference and with the participation of States of the region held five informal meetings in Glion and Geneva, Switzerland, in order to facilitate agreement among the States of the region on the arrangements for the Conference to be held in Helsinki. The meetings provided an opportunity to exchange views on the Conference and its preparations including discussions on the agenda, modalities and

rules of procedure. Participants contributed actively to the dialogue and presented proposals. The conveners and the facilitator were impressed by the participants' readiness to engage, by their wish to make progress and by their open and constructive approach.

11. Despite the efforts of the facilitator and the conveners in 2014 and 2015 to continue these informal meetings and move to the necessary drafting phase, it was not possible to convene a further meeting.

12. The Final Document of the 2010 NPT Review Conference recognized the important role played by civil society in contributing to the implementation of the 1995 Resolution, and encouraged all efforts in this regard. The facilitator and his team have participated in various events organized by civil society actors and have sought to actively engage with non-governmental organizations, academia and think tanks.

Preparations for the Conference

13. The Final Document of the 2010 NPT Review conference set the task of convening the Conference upon the Secretary-General of the United Nations and the co-sponsors of the 1995 Resolution. The conference is to be attended by all States of the Middle East. In determining the list of regional participants, the conveners and the facilitator have referred to the IAEA Document mentioned in paragraph 8 above.

14. As regards the time and venue, Finland as the host Government has announced that it is prepared to arrange the Conference in Helsinki on a short notice.

15. In May 2012, the facilitator's office presented to the States of the region non-papers on the different substantive and organizational aspects of the Conference in order to assist in identifying arrangements to be freely arrived at by them. Following input received, in October 2012, the facilitator circulated updated non-papers as his proposals for the Conference arrangements, including its agenda, modalities and rules of procedure. In his proposals, the facilitator sought to accommodate the different points of departure of the States of the regions as regards the Conference and the establishment of the zone.

16. In the course of the bilateral and multilateral consultations of the facilitator the States of the region have put forward both formally and informally written and oral proposals regarding the Conference arrangements. Tunisia submitted on 19 April 2013 on behalf of the States members of the League of Arab States a working paper (NPT/CONF.2015/PC.II/WP.34) which included an Annex "The position of the Arab States regarding the non-paper prepared by the facilitator of 2012 conference on the establishment of a zone free of nuclear weapons and other weapons of mass destruction".

17. The facilitator's office produced in November 2014 "an orientation paper" which covers all main aspects of the arrangements for the Conference. It has been distributed to all future participants of the Conference as a tool of the facilitator that can be used during consultations in order to help move the process forward.

18. The Final Document of the 2010 NPT Review Conference endorsed additional steps aimed at supporting the implementation of the 1995 Resolution, including that IAEA, the Organization for the Prohibition of Chemical Weapons and other relevant international organizations be requested to prepare background documentation for

the 2012 Conference regarding modalities for a zone free of nuclear weapons and other weapons of mass destruction and their delivery systems, taking into account work previously undertaken and experience gained. The facilitator requested said documentation from IAEA, the Organization for the Prohibition of Chemical Weapons, the Biological and Toxin Weapons Convention Implementation Support Unit and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization. Each of these organizations provided the background documentation which was shared with the States of the region by the facilitator in December 2012.

Convening of the Conference

19. It was not possible to convene a Conference in 2012 as planned with the participation of all States of the region. Following the statements by the conveners stating this state of affairs, disappointment at the postponement of the Conference was widely expressed. Nevertheless, all States of the region expressed their willingness to continue the preparations for the Conference. The Government of Finland announced that it remained prepared to host the Conference once convened. The facilitator stated he would continue Conference preparations with the States of the region and the conveners.

20. The Government of Finland and the facilitator are grateful for the extensive support and cooperation they have been offered by all parties throughout the tenure of the facilitator. The Governments of the Kingdom of Saudi Arabia and the United Kingdom have assisted financially the work of the facilitator. The Government of Switzerland has provided financial and logistical support to the organization of the informal meetings in Switzerland. The facilitator thanks these Governments for their valuable support.